

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Varier et al.

Application No./Patent No.: \_\_\_\_\_ Filed/Issued Date: 9/29/2003

Entitled: Dynamic Bandwidth Management Responsive  
to Access Link State in Redundant Network Topologies

Packeteer, Inc., a Delaware Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel/Frame \_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
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The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

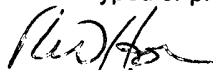
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

9/24/2003  
Date

Robert W. Hon, Ph.D

Typed or printed name



Signature

Vice President, Res arch & Development

Title

**PATENT APPLICATION**  
Attorney Docket 6533/53778

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Varier et al.

**Serial No.:** TBD

**Filed:** September <sup>30</sup>/<sub>29</sub>, 2003

**For:** *Dynamic Bandwidth Management Responsive to Access Link State in Redundant Network Topologies*

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


Packeteer, Inc., a Delaware corporation, at 10201 N. De Anza Blvd., Cupertino, CA 95014, assignee of all right, title and interest to the application identified above, through its Vice President, Research & Development, Robert W. Hon, Ph.D, hereby appoints as its principal attorney, Mark James Spolyar, Reg. No. 42164, with full power of revocation and substitution, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected herewith.

All correspondence and telephone calls relating to this application should be directed to:

**Customer Number: 30505**

Law Office of Mark J. Spolyar  
38 Fountain Street  
San Francisco, CA 94114  
415-826-7966  
415-480-1780 fax.

Respectfully submitted,  
**PACKETEER, INC.**

By: 

Robert W. Hon, Ph.D

Its: Vice President, Research & Development

Date: 9/24/2003

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>	<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing	OR	<input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)
	<b>Attorney Docket Number</b>		6533/53778
	<b>First Named Inventor</b>		Varier, et al.
	<b>COMPLETE IF KNOWN</b>		
	<b>Application Number</b>		
	<b>Filing Date</b>		9/30/2003
<b>Group Art Unit</b>			
<b>Examiner Name</b>			

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Dynamic Bandwidth Management Responsive to Access Link State in Redundant Network Topologies

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patent, Washington, DC 20231.

## DECLARATION – Utility or Design Patent Application

Direct all correspondence to:



Customer Number  
or Bar Code Label

30505

OR



Correspondence address below

Name Mark James Spolyar

Address 38 Fountain Street

City San Francisco

State CA

ZIP 94114

Country USA

Telephone 415-826-7966

Fax 415-480-1780

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:



A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any]) Roopesh R.

Family Name

or Surname Varier

Inventor's  
Signature

*Roopesh R. Varier*  
9/24/03

Date September 24, 2003

Residence: City Sunnyvale

State CA

Country USA

Citizenship India

Mailing Address 555 East El Camino Real, Apt. # 617

*Roopesh R. Varier*

City Sunnyvale

State CA

ZIP 94087

Country USA

NAME OF SECOND INVENTOR:



A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any]) Guy

Family Name

or Surname Riddle

Inventor's  
Signature

*Guy Riddle*

Date September 24, 2003

Residence: City Los Gatos

State CA

Country USA

Citizenship USA

Mailing Address 18243 Knuth Road

City Los Gatos

State CA

ZIP 95033

Country USA



Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Please type a plus sign (+) inside this box → ☐

PTO/SB/02A (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>1</u> of <u>1</u>	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
David		Jacobson	
Inventor's Signature <i>David Jacobson</i>		Date September 24, 2003	
Residence: City	Durham	State	NC
Country	USA	Citizenship	United States
Mailing Address 4916 Pine Cone Drive			
Mailing Address			
City	Durham	State	NC
ZIP	27707	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
Country		Citizenship	
Mailing Address			
Mailing Address			
City		State	
ZIP		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
Country		Citizenship	
Mailing Address			
Mailing Address			
City		State	
ZIP		Country	

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